

**ASSEMBLY BILL**

**No. 2937**

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**Introduced by Assembly Member Nation**

February 20, 2004

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An act to add Section 14015.5 to the Welfare and Institutions Code, relating to Medi-Cal.

LEGISLATIVE COUNSEL'S DIGEST

AB 2937, as introduced, Nation. Medi-Cal eligibility: annuity purchases.

Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Services, pursuant to which medical benefits are provided to public assistance recipients and certain other low-income persons.

Existing law requires the department to claim against the estate of any person who received benefits under the Medi-Cal program in an amount equal to the payments for the health care received or the value of the property received by any recipient from the decedent, with certain exceptions.

This bill would require the department to claim against the estate of any decedent who, not more than 60 months prior to applying for long-term care benefits under the Medi-Cal program, purchased an annuity for the purpose of becoming eligible for Medi-Cal benefits and not for the provision of income.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1.   Section 14015.5 is added to the Welfare and  
2   Institutions Code, to read:  
3     14015.5.   If any decedent who received benefits under this  
4   chapter as an inpatient in a skilled nursing facility or his or her  
5   spouse had purchased an annuity not earlier than 60 months prior  
6   to the application for care as an inpatient in a nursing facility for  
7   the purpose of qualifying for medical benefits under this chapter  
8   and not for the provision of income, the department shall claim  
9   against the estate, including the annuity, of the decedent pursuant  
10  to Section 14009.5 for the cost of the annuity.

